

Contractual Requirements

"Please notify the coordinator of this section of the Professional Services Guide with any comments, concerns, or errors, by email: [Contracts Point of Contact](#)."

Table of Contents

	<u>Page</u>
Technical Representatives	4-1
Contracting Officer's Technical Representative (COTR) and Navy Technical Representative (NTR)	4-1
A&E Invoicing Procedures	4-1
Payment Policy	4-1
Payment Requests	4-1
Invoice Submission Instructions	4-2
Final Payment Instructions	4-3
Instructions for Completing Contractor's Invoice NAVFAC 7300/41 (REV 7/85)	4-4
Instructions for Completing Contractor Performance Statement LANTDIV NORVA 4-7300/21 (New 1/98)	4-6
Instructions for Completing Contractor's Release NAVFAC 4330/7 (6/72)	4-8

- **Technical Representatives**

- **Contracting Officer's Technical Representative (COTR) and Navy Technical Representative (NTR)**

The COTR and NTR will act as the Contracting Officer's representatives for technical matters providing technical direction and discussion as necessary with respect to the specification or statement of work, and monitoring the progress and quality of contractor performance. The COTR and NTR are not Administrative Contracting Officers and do not have authority to take any action, either directly or indirectly, that would change the pricing, quantity, place of performance, delivery schedule, or any other terms and conditions of the contract; or to direct the accomplishment of effort which goes beyond the scope of the statement of work in the contract.

When, in the opinion of the contractor, the COTR and NTR request effort outside the existing scope of the contract, the contractor shall promptly notify the Contracting Officer in writing. No action shall be taken by the contractor under such direction until the Contracting Officer has issued a modification to the contract or has otherwise resolved the issue.

Copies of all contract correspondence (without enclosures) are to be provided to the COTR and the Contract Specialist.

- **A&E Invoicing Procedures**

- **Payment Policy**

It is the LANTNAVFACENGCOM policy to process partial payments at significant stages of work completion identified in the contractual Appendix A project scope. Payment requests are generally processed concurrent with a review submittal (i.e., concept, 35%, 1st prefinal, final, etc.) required by the Appendix A. Partial payments may be submitted and processed for work other than scheduled review submittals when accompanied by adequate evidence of progress.

- **Payment Requests**

Invoices are processed by the Contract Support Branch (Code 0223) Invoice Accounting Technicians. Contracts ending with an odd number (i.e., 1111) will be processed by Code 02234, and those ending with an even number (i.e., 1112) will be processed by Code 02238.

Payment requests are to be submitted utilizing the Contractor's Invoice (NAVFAC Form 7300/41 (Rev 7/85)) accompanied by the Contractor Performance Statement (LANTDIV NORVA Form 4-7300/21 (New 1-98)). Submit only one (1) copy of each form.

Submit all invoices to the address shown below:

COMMANDER
ATTN CODE 02234 or CODE 02238
LANTNAVFACENGCOM
1510 GILBERT ST
NORFOLK VA 23511-2699

Prior to submitting an invoice package for payment, supporting progress submittals must have been forwarded to the cognizant Project Manager (PM). Progress submittals are the evidence supporting the work has been completed (i.e., copy of plans, studies, reports, field notes, minutes of meetings held).

Upon receipt of the Contractor's Invoice/Contractor Performance Statement, the Invoice Accounting Technician initiates action to the appropriate PM and/or Architect-in-Charge (AIC)/Engineer-in-Charge (EIC)/Planner-in-Charge (PIC) for validation that the work being invoiced has been completed satisfactorily. Subsequent to confirmation from the PM and/or AIC/EIC/PIC that the Contractor has met the terms of the contract Appendix A, the invoice is submitted for payment. In the event payment has been denied by technical personnel, written notification with justification of payment denial is forwarded to the Contractor.

The entire invoice process has a 30 calendar day allowance for completion beginning with the date the invoice is received by Code 0223, and ending with the date the check is issued to the Contractor (excludes mailing time). Telephone inquiries regarding the status of an invoice may be made approximately 36 calendar days after submittal as follows:

Code 02234: Telephone 757-322-8273

Code 02238: Telephone 757-322-8277

Instructions for completion of the invoice forms along with sample formats are provided herein. To avoid time delays and/or return of an incomplete package, invoices must be submitted as instructed. Any additional questions you have involving the completion of the invoice forms may be directed to the appropriate Invoice Accounting Technician at the telephone number listed above.

- **INVOICE SUBMISSION INSTRUCTIONS**

Detailed clarification is outlined on the sample formats provided herein for both the Contractor's Invoice and the Contractor Performance Statement forms. The following briefly identifies mandatory information required to successfully process the invoice package:

CONTRACTOR'S INVOICE

Must identify a point of contact and telephone number

Must have an original signature

CONTRACT PERFORMANCE STATEMENT

- a. Modifications to Contracts and Contract Task Orders are to be identified as separate "line items" and will be handled as such. List dollar figures separately

and DO NOT include these figures in the original Contract or Contract Task Order value.

- b. A&E Contract Number and Modification Number; and Contract Task Order and Modification to Contract Task Order Number are REQUIRED.
- c. Each line item (from columns (3), (4), (5), (6) and (7)) MUST BE extended and totaled at the bottom.
- d. A Contractor Performance Statement must be provided totaling those line items identified in the contract actions and/or as shown on the Appendix A schedule of fees (i.e., direct design, engineering services, travel and subsistence, etc.).

A separate Contractor Performance Statement shall be submitted identifying line item specifics. This Contractor Performance Statement shall detail all the services required by the contract line item; e.g., engineering services shall be further broken down to identify field investigation, soil borings, survey/plotting, rendering, etc.

- e. The final sheet of the Contractor Performance Statement MUST INDICATE the contract grand totals as they correspond to the Contractor's Invoice.

Total Cost - Column (3): Total value of the Contract including all executed Modifications, Contract Task Orders and Modifications to Contract Task Orders.

Percentage Complete - Column (4): Percentage of all work completed for the total contract value.

Value of Completed Performance - Column (5): Total dollar value of the percentage of work completed in Column (4).

Prior Report - Column (6): Total Dollar Value Paid to Date

Current Report - Column (7): Total Dollar Amount being requested by this Invoice

- **FINAL PAYMENT INSTRUCTIONS**

Completion of all contractually obligated work and confirmation that no further work will be added to the contract, constitutes submittal of a final invoice. In addition to the invoice package identified above, a Contractor's Release (NAVFAC 4330/7 (6-72)) (2 copies with original signatures) must accompany your invoice for final payment. Final payment will not be processed without receipt of this form.

- **INSTRUCTIONS FOR COMPLETING CONTRACTOR'S INVOICE
NAVFAC 7300/41 (REV 7/85)**

(Numbers in parenthesis correspond to the form)

(1) Date Initiated (Submitted)

(2) Invoice Number

Assign Invoice Numbers chronologically (i.e., 0001, 0002, 0003, etc.). If a previous invoice has been denied payment, use the next sequential unused Invoice Number. Do not reuse the denied Invoice Number.

(3) Firm Identification

Firms may use this space for their identification symbols for internal tracking.

(4) Complete Name and Address of the firm **as shown on the contract document**.

In parenthesis following the complete name of the firm, provide a firm point of contact (POC) for the invoice action with that individual's telephone number.

In the event that the firm has moved since the execution of the contract, a formal request for a change of address signed by a firm official must accompany the invoice. Upon receipt of this request, an administrative contract modification will be issued changing the contractor address.

(5) Contract Number

(6) Total Dollar Value of the Contract

This figure represents the **total value** of the Contract including all **executed** Modifications, Contract Task Orders and Modifications to Contract Task Orders.

(7) Percentage of Performance Complete

This figure represents the percentage of all work completed for the **total contract value**.

(8) Value of Completed Performance

This figure represents the total dollar value of the percentage of work completed in (7) above.

(9) Total Dollar Value **Paid** to Date

(10) Total Dollar Amount being requested by this Invoice

(11) **Original** signature of Company Official

(12) Typed Name and Title of Company Official

NAVAL FACILITIES ENGINEERING COMMAND CONTRACTORS INVOICE

INVOICE DATE **(1)** January 1, 1998INVOICE NUMBER **(2)** 0001**(3)** 123:BLM

FROM: **(4)** ABC Corporation (POC: Mr. J. D. Doe/757-333-9999)
123 Main Street, Virginia Beach, Virginia 23451

TO: Officer in Charge of Construction

VIA: Resident Officer in Charge of Construction

1. Below is a Statement of Performance under Contract **(5)** N62470-98-D-0001 at (Station) _____

The enclosure provides breakdown of this statement of performance.

A. Total value of contract through change	_____	\$ (6) 694,766
B. Percentage of performance complete		(7) _____ 79 %
C. Value of completed performance		\$ (8) 547,408
D. Less: Total of prior invoices		\$ (9) 453,741
E. Amount of this invoice		\$ (10) 93,667

Signature and Title **(11)** _____**(12)** J. D. DOE, P. E., President**FIRST ENDORSEMENT**

Date _____

FROM: ROICC _____

TO: _____

1. Payment is recommended as follows:

A. Amount of work completed to	_____	\$ _____
B. Less: Total of prior invoices	\$ _____	
C. Amount of this invoice	\$ _____	
D. Less: Retention this invoice	\$ _____	
(0 to 10% of Item C)	\$ _____	
Total retention prior invoices	\$ _____	
Other deductions	\$ _____	\$ _____
E. Sub-total		\$ _____
F. Less previous payments		\$ _____
G. Recommended amount for _____ payment		\$ _____

2. Elapsed contract time _____ %

3. Signature and Title _____

¹ROICC

Pursuant to authority vested in me, I certify that this invoice is correct and proper for payment.

DATE _____ Signature and Title _____

¹Authorized Certifying Officer

ACRN APPN/SUBHEAD OC BCN SA AAA TT PAA COST CODE AMOUNT

¹If the ability to certify and authority to recommend are combined in one person, one signature only is necessary; otherwise the ROICC will sign in the space provided.

- **INSTRUCTIONS FOR COMPLETING CONTRACTOR PERFORMANCE STATEMENT LANTDIV NORVA 4-7300/21 (NEW 1/98)**

(Numbers in parenthesis correspond to the form)

- **Header Information**

(1) Contract Number

(2) Sheet Number(s)

(3) Period Ending

- **Column Information**

(1) Contract Action Number

This number represents the actual contract action; i.e., Award, Modification, Contract Task Order or Modification to Contract Task Order as shown on the actual contractual document

(2) Description of Line Item Services

The line items displayed in this column should correspond to the line items identified in the contract actions and/or as shown on the Appendix A schedule of fees. (link required to one sample)

A separate Contractor Performance Statement shall further detail all the services required by the contract line item; e.g., engineering services shall be further broken down to identify field investigation, soil borings, survey/plotting, rendering, etc. (link required to second sample)

(3) Total Dollar Amount of Negotiated Line Item

(4) Percentage of Work Completion including the Work being Invoiced

(5) Total Dollar Amount of Work Completed including the Work being Invoiced

(6) Total Dollar Amount Paid Prior to this Invoice

(7) Total Dollar Amount being requested by this Invoice

CONTRACTOR PERFORMANCE STATEMENT

LANTDIV NORVA 4-7300/21 (New 1-98)

CONTRACT # (1) N62470-98-D-0001SHEET (2) 2 OF 2PERIOD ENDING (3) 30 September 1997**TO BE COMPLETED BY CONTRACTOR**

CONTRACT ACTION NUMBER	DESCRIPTION OF LINE ITEM SERVICES	TOTAL CONTRACT ACTION COST	% COMPL	VALUE OF COMPLETED PERFORMANCE	PRIOR REPORT	CURRENT REPORT
(1)	(2)	(3)	(4)	(5)	(6)	(7)
0001	Engineering Services					
	Site Survey	6,473	100%	6,473	6,473	
	Field Support and Summary Report	25,587	100%	25,587	25,587	
	Preparation, Meetings	3,782	100%	3,782	3,782	
	Travel and Subsistence	6,881	100%	6,881	6,881	
0001-01	Direct Design	120,771	34%	41,062		41,062
	Engineering Services					
	Predesign Meeting	11,896	100%	11,896	11,896	
	35% Presentation and Review Meeting/Field Investigation	10,491				
	Communication and Fax	1,320	50%	660	660	
	Printing	4,675	35%	1,636	1,636	
	Travel and Subsistence	26,720	69%	18,440	440	18,000
	Shop Drawing Review	22,800				
	As-Built Drawing Preparation	5,556				
0002	Direct Design	371,344	100%	371,344	352,777	18,567
	Engineering Services					
	Topographic Survey	5,280	100%	5,280	5,280	
	Soil Report	10,725	100%	10,725	10,725	
	35% Review Meeting	15,535	100%	15,535	15,535	
	Exterior Architectural Submittal	2,461	100%	2,461	2,461	
	Structural Certification	6,270	100%	6,270	5,957	313
	Energy Analysis	4,055	50%	2,027		2,027
	Printing	10,970	60%	6,582	3,291	3,291
	Travel and Subsistence	20,814	50%	10,407		10,407
TOTALS		\$694,766	79%	\$547,408	\$543,746	\$93,667

REMARKS

- **INSTRUCTIONS FOR COMPLETING CONTRACTOR'S RELEASE
NAVFAC 4330/7 (REV 6/72)**

(Numbers in parenthesis correspond to the form)

(1) Contract Number

(2) Total Dollar Value of the Contract

This figure represents the **total value** of the Contract including all **executed** Modifications, Contract Task Orders and Modifications to Contract Task Orders.

(3) Total Dollar Value **Paid** to Date

(4) Total Dollar Amount to be paid by Final Invoice

(5) Date of Final Release Execution by Company Official

(6) Complete Name of the firm **as shown on the contract document**.

(7) **Original** signature of Company Official

(8) Typed Title of Company Official

(9) **Original** signature of Witnesses

In the event the Company is not Incorporated, two witnesses are required

(10) Certificate

If the Company is Incorporated, the Secretary of the Corporation must sign the final release and affix the Corporate Seal.

CONTRACTOR'S RELEASE UNDER CONTRACT (1) N62470-98-D-0001

KNOW ALL MEN BY THESE PRESENTS: In consideration of the premise and the sum of (2) Six hundred ninety-four thousand seven hundred sixty-six and 00/100 dollars \$ 694,766.00 lawful money of the United States of America (hereinafter called the "Government") (3) Five hundred forty-seven thousand four hundred eight and 00/100 dollars \$ 546,408.00 of which has already been paid and (4) One hundred forty-seven thousand three hundred fifty-eight and 00/100 dollars \$ 147,358.00 of which is to be paid by the Government under the abovementioned contract, the undersigned contractor does, and by the receipt of said sum shall, for itself, its successors and assigns, remise, release and forever discharge the Government, its officers, agents and employees, of and from all liabilities, obligations and claims whatsoever in law and in equity under or arising out of said contract.

IN WITNESS WHEREOF, this release has been executed this (5) day of _____ 19 ____

WITNESSES:

(6)

(Contractor)

(9)

BY: (7)

TITLE: (8)

NOTE: In case of a corporation, witnesses are not required, but certificate (below) must be completed.

CERTIFICATE

I, (10), certify that I am the _____ secretary of the corporation named as Contractor in the foregoing release; that _____ who signed said release on behalf of the Contractor was then _____ of said corporation; that said release was duly signed for and in behalf of said corporation by authority of its governing body and is within the scope of its corporate powers.

(Corporate Seal)